

**BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.**

In the Matter of:)	
)	
VEOLIA ES TECHNICAL)	
SOLUTIONS, L.L.C.)	
)	Appeal No.: CAA 17-02
Permittee)	
)	
Air Pollution Control Title V)	
Permit to Operate)	
Permit No. V-IL-1716300103-2014-10)	
Docket No. U.S.EPA-R05-OAR-2014-0280)	
)	

MOTION FOR LEAVE TO FILE CORRECTED EXHIBIT

Permittee Veolia ES Technical Solutions, L.L.C. (“Veolia”), by and through its undersigned attorneys, respectfully requests the Environmental Appeals Board (“EAB”) grant Veolia leave to file a corrected Exhibit 2 to Veolia’s Petition for Review, listed as Attachment 2 to Veolia’s Petition on the EAB Docket (hereinafter “Exhibit 2/Attachment 2”). In support of this motion, Veolia states the following:

1. On February 15, 2017, Veolia filed its Petition for Review with the EAB, related to Permit No. V-IL-1716300103-2014-10. Veolia filed three exhibits with its Petition for Review, identified on the EAB Docket as Attachment 1, Attachment 2, and Attachment 3, respectively.

2. Subsequent to its filing, Veolia identified a typographical error on the second page (VES 019618) of Veolia Exhibit 2/Attachment 2. Specifically, the amount of mercury emissions reported for US Steel-Granite City for TRI reporting year 2014 was erroneously listed on Veolia’s Exhibit 2/Attachment 2 as “2.84” pounds. The correct amount of mercury emissions reported for US Steel-Granite City for TRI reporting year 2014 is “211.64” pounds. *See* 2014

Form R for US Steel-Granite City, at

https://oaspub.epa.gov/enviro/tri_formr_partone_v2.get_thisone?rpt_year=2014&dcn_num=1314212952105&ban_flag=Y. Assigning the correct value to the 2014 reporting year also changed the “3 year average” for US Steel-Granite City to 181.87 pounds instead of the previously calculated 112.27 pounds.

3. In order to correct these typographical errors, Veolia requests leave from the EAB to file the attached corrected Exhibit 2/Attachment 2. The corrections to the second page (VES 019618) of Exhibit 2/Attachment 2 are the only changes made to Exhibit 2/Attachment 2.

4. No parties will be prejudiced by this amendment.

Respectfully Submitted,

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CERTIFICATE OF SERVICE

I hereby certify, pursuant to the Rules of the Environmental Appeals Board of the U.S. Environmental Protection Agency, that on February 27, 2017, the foregoing was filed electronically with the Clerk of the Environmental Appeals Board using the EAB eFiling System, as authorized in the August 12, 2013, Standing Order titled Revised Order Authorizing Electronic Filing Procedures Before The Environmental Appeals Board Not Governed By 40 C.F.R. Part 22. The foregoing is also being served via U.S. Mail in hard copy paper form on the following:

Clerk of the Board
U.S. Environmental Protection Agency
Environmental Appeals Board
1200 Pennsylvania Avenue, NW
Mail Code 1103M
Washington, DC 20460-0001

Edward Nam
Director, Air and Radiation Division
USEPA Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

And via electronic mail to:

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/s/ Joseph M. Kellmeyer
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VEOLIA ES TECHNICAL SOLUTIONS, L.L.C.

Petition for Review to the Environmental Appeals Board of the United States Environmental Protection Agency, Washington, D.C.

Exhibit 2

Comparative Mercury Emissions for Sources Within 50 Miles of Sauget, Illinois

Note: The first chart includes TRI data from reporting year 2013 and was included in Veolia's comments at VES 019543. The second chart updates the emissions information using data from TRI reporting years 2014 and 2015. The second chart has been Bates labeled consistent with Veolia's comments for ease of reference.

D. Region 5 is Unreasonably and Unfairly Requiring Veolia to Install Multi-Metals CEMS.

1. *Veolia Is a Small Source of Mercury Emissions In the St. Louis Area*

As evidenced by the permitting and enforcement history set forth above, Region 5's primary concern since this process began has been Veolia's mercury emissions.²² However, Veolia's yearly mercury emissions are magnitudes lower than other major sources of mercury emissions in the St. Louis area. As the table below shows, Veolia's estimated Toxic Release Inventory ("TRI") emissions for reporting year 2013 were a mere 3.1 pounds of mercury. *See* Veolia 2013 Form R at VES 019265-019270.

Facility	State	TRI Mercury Emissions for 2013 Reporting Year*	Method of Calculation	Approx. Distance & Direction from Veolia's Sauget Facility
Labadie Power Station	MO	823.2 lbs/yr	published emission factor	36.6 miles west
Rush Island Power Station	MO	402.5 lbs/yr	published emission factor	32.6 miles south
US Steel - Granite City	IL	223.41 lbs/yr	published emission factor	7.5 miles north
Sioux Power Plant	MO	194.9 lbs/yr	published emission factor	19.3 miles southwest
Baldwin Power Station	IL	82.7 lbs/yr	site-specific emission factor	32.6 miles southeast
Meramec Power Plant	MO	68.7 lbs/yr	published emissions factor	15.9 miles southwest
Mississippi Lime Concrete Plant	MO	54.16 lbs/yr	published emissions factor	45.0 miles south
Wood River Power Station	IL	41.3 lbs/yr	site-specific emission factor	18.4 miles north
Prairie State Energy Campus	IL	40.0 lbs/yr	site-specific emission factor	35.9 miles southeast
Wood River Refinery	IL	20.0 lbs/yr	published emissions factor	17.7 miles north
Veolia Incinerator	IL	3.1 lbs/yr	site-specific emissions monitoring	0 miles

*Values are from each facility's 2013 reporting year Form R, at www.epa.gov/enivro/facts/triform_r_search.html.

²² This is evidenced by the fact that Region 5's 2013 reopening proposal included greater feedrate limits (i.e., more lenient limits) for LVMs and SVMs than those limits Veolia had established through performance testing. *See* Region 5 proposed Title V permit VES 000002-000135 (Jan. 2013).

Comparison of St. Louis Area Mercury Emissions: 2013-2015 TRI Reporting Years

Facility	State	TRI Mercury Emissions for 2013-2015 Reporting Years* (lbs/yr)			3 yr. avg.	Method of Calculation	Approx. Distance & Direction from Veolia's Sauget Facility
		2013	2014	2015			
Labadie Power Station	MO	823.2	400.10	480.80	568.03	published emission factor	36.6 miles west
Rush Island Power Station	MO	402.5	301.20	58.30	254.00	published emission factor	32.6 miles south
US Steel - Granite City	IL	223.41	211.64	110.57	181.87	published emission factor	7.5 miles north
Sioux Power Plant	MO	194.9	147.80	24.00	122.23	published emission factor	19.3 miles southwest
Baldwin Power Station	IL	82.7	89.60	59.20	77.17	site-specific emission factor	32.6 miles southeast
Meramec Power Plant	MO	68.7	213.30	96.80	126.27	published emissions factor	15.9 miles southwest
Mississippi Lime Concrete Plant	MO	54.16	54.73	51.14	53.34	published emissions factor	45.0 miles south
Wood River Power Station	IL	41.3	17.30	13.40	24.00	site-specific emission factor	18.4 miles north
Prairie State Energy Campus	IL	40.0	65.80	74.30	60.03	site-specific emission factor	35.9 miles southeast
Wood River Refinery	IL	20.0	20.00	19.60	19.87	published emissions factor	17.7 miles north
Veolia Incinerator	IL	3.1	1.40	1.20	1.90	site-specific emissions monitoring	0 miles

*Values are from each facility's 2013-15 reporting year Form Rs, at www.epa.gov/enivro/facts/tri/form_r_search.html.